REMARKS

The Official Action of September 29, 2005 has been carefully considered. The changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

Claims 1-21 and 27-30 remain canceled by prior amendment, and claims 31-55 are hereby canceled. Claims 56-80 are hereby added, and support for these new claims can be found within the specification and drawings. It is Applicant's belief that new claims 56-80 are directed to Species A as elected by Applicant in Response to the Election Requirement of September 1, 2005. Accordingly, claims 22-26 and 56-80 stand pending in this application and are believed to be in condition for allowance.

Claims 22-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DE 19818546 taken together with Applicant's own admission and FR 2737478A1. This rejection is traversed because neither DE 19818546 nor FR 2737478A1, alone or in any arguable combination with each other or with any arguable admission by Applicant, teaches, discloses, or otherwise suggests the methods of claims 22-25. Claim 26 has been rejected under 35 U.S.C. §103(a) as being unpatentable over DE 19818546 taken together with Applicant's own admission, FR 2737478A1, and either one of Stout or Graham. This rejection is traversed because neither DE 19818546, FR 2737478A1, Stout, nor Graham, alone or in any arguable combination with each other or with any arguable admission by Applicant, teaches, discloses, or otherwise suggests the method of claim 26. Reconsideration is respectfully requested.

The Official Action contends that DE 19818546 discloses an apparatus and process wherein a mobile juice extraction system is located at a fruit orchard for harvesting fruit and obtaining juice. In particular, the Official Action contends that DE 19818546 discloses a transporting method via a mobile trailer for carrying fruit, a dispensing step (i.e. hopper) for providing fruit to the mobile trailer, washing of the fruit with a washer, a multiple step extraction method step, peel and non-juice material being processed and conveyed as mush, the presence of a pulp sorting device, the juice being held in a tank, and transporting using conveyors, wherein the

process is provided with its own power source which is inherently operated when the fruit is to be processed. According to the Official Action, DE 19818546 also provides for immediate treatment of the fruit following harvesting and, since the system would be set up at the grove, the fruit would be processed within four hours. However, the Official Action concedes that DE 19818546 does not specifically disclose treatment of citrus juice, but discloses pressing steps and the description of apparatus capable of removing juice from citrus fruit. The Official Action nevertheless contends that it is notoriously well known to remove juice from citrus fruit, and that it would have been obvious to one having ordinary skill in the art at the time of the invention to have employed the process of DE 19818546 to remove juice from citrus fruit as a matter of preference in the particular fruit to be treated.

The Official Action further contends that FR 2737478A1 teaches the use of a mobile refrigerating tank for juices. The Official Action indicates that clearly, by refrigerating the juice, its cooled temperature would be effective for stabilizing the juice, and that it therefore would have been further obvious to have employed such step and the refrigerated tank of FR 2737478A1 to help preserve and stabilize the juice. The Official Action further indicates that the positioning of a walkway platform along an exterior periphery of a trailer to support movement of personnel thereon is notoriously well known, that Stout and Graham both disclose walkways on mobile devices, and that it would have been obvious to have employed a walking platform in the process of DE 19818546 to allow workers the ability to access or more easily access the various stations of the trailer, and that it would also have been obvious to employ more than one entryway/walkway to facilitate more than one worker. The Official Action further contends that the use of peel conveyors and pumps is well known in the fruit juicing art, and that absent a showing of unexpected results, it would have been obvious to have employed them, and that the positioning of the pumps would have been well within the purview of a skilled artisan and it would have been obvious to have arrived at such an arrangement as a matter of preference.

The Official Action further indicates that the claims differ in that they call for a particular rate of juice to be produced, and continued processing until the grove is completed, but that such determinations would have been well within the purview of a

skilled artisian, and it would have been obvious to have arrived at a design or size of apparatus to facilitate such flow rates as a matter of preference depending on cost involved, space for the apparatus, etc. As for completing the entire grove, the Official Action indicates that it would have been well within the purview of a skilled artisian and would have been further obvious to have made such a decision as a matter of preference depending on help available, cost, light hours (if done in one session), sale factors and profit considerations, etc .

Contrary to the contentions in the Official Action, DE 19818546 does not teach, disclose or otherwise suggest extraction of juice from citrus fruit. The Official Action even twice concedes (at page 3, lines 10-11, and page 5, lines 17-18) that "DE 19818546 does not specifically disclose treatment of citrus juice per se...." Citrus fruit processing is significantly distinct from non-citrus fruit processing. In particular, peel oils generally do not present a problem when introduced into juice extracted from non-citrus fruit, and juice can accordingly be successfully extracted from non-citrus fruit through crude crushing processes, such as that arguably disclosed in DE 19818546. However, such crude processes are entirely inapplicable to citrus fruit and accordingly would not have been considered by a person having ordinary skill in the art of citrus fruit processing. More particularly, if the extractor of DE 19818546 were used with citrus fruit (e.g., oranges), although nothing of record suggests such a modification, substantial quantities of undesirable peel oils would be introduced into the extracted juice, thus rendering the extracted citrus fruit juice undesirable for consumption. This distinction between the extractors of DE 19818546 and extractors suitable for use with citrus fruit is therefore quite significant. By failing to teach citrus fruit, DE 19818546 lacks any relevance whatsoever to Applicant's claimed citrus fruit processing invention, and accordingly is not properly relied upon in the Official Action. There is simply no evidence of record to support any position that non-citrus fruit processing is relevant to citrus fruit processing, and/or that mobile extraction of citrus fruit juice can be achieved. Although FR 2737478 arguably teaches refrigerated juice transport, it does nothing to resolve the deficiencies of DE 19818546 with regard to mobile extraction of juice from citrus fruit. Additionally, neither Stout, Graham, nor any arguable admission by Applicant serves to resolve these deficiencies. For all of these reasons, neither DE 19818546 nor FR 2737478A1, alone or in any arguable combination with each other or with any arguable admission

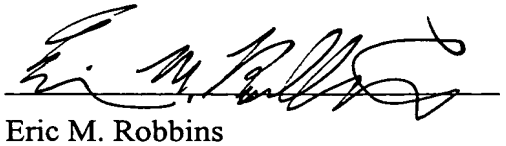
by Applicant, teaches or suggests mobile extraction of citrus fruit juice as respectively recited in each of independent claims 22, 26, and 56. For this reason, this rejection is improper and should be removed. Reconsideration is respectfully requested.

As yet another reason why the claims are allowable over the cited art, each of independent claims 22, 26 and 56 respectively recites chilling the extracted citrus fruit juice to at least a temperature effective for stabilizing the juice. The Official Action contends that FR 2737478 teaches the use of a mobile refrigerated tank for juices and that this refrigeration would be effective for stabilizing the juice and that it would have been obvious to have employed this step to help preserve and stabilize juice. Applicant disagrees, as any arguable combination of FR 2737478 with DE 19818546 would still fail to disclose the present invention as respectively defined by claims 22, 26 and 56. In particular, the refrigeration of FR 2737478 would not be effective for stabilizing unchilled extracted citrus fruit juice, but at best would only arguably be effective in maintaining extracted citrus fruit juice after it has already been chilled to at least a temperature effective for stabilizing the juice. If freshly extracted citrus fruit juice were loaded into a refrigerated tank (e.g., such as that disclosed in FR 2737478) without first being separately chilled, the temperature of the juice would not be reduced quickly enough (and perhaps not at all) by the refrigerated tank, and the juice would accordingly not be effectively stabilized. Accordingly, FR 2737478 does not teach, suggest or otherwise disclose the chilling as respectively recited by each of independent claims 22, 26, and 56, and neither DE 19818546, Stout, Graham, nor any arguable admission by Applicant resolves this deficiency. For this additional reason, the rejection of these claims is improper and should be removed.

Furthermore, there appears to be no motivation to combine FR 2737478A1 with DE 19818546 to reach the present invention as defined by claims 22-26 and 56-80. DE 19818546 is limited to processing of grapes, does not mention or imply citrus fruit, does not mention refrigeration, and does not imply that refrigeration is necessary or beneficial for fruit juice processed in accordance with its teachings (i.e.: extracted grape juice). One skilled in the art would accordingly not be motivated to modify DE 19818546 to include refrigeration, such as that taught by FR 2737478A1. Therefore, for this additional reason, the rejections of claims 22-26 and 56-80 are improper and should be removed.

For all of the reasons set forth above and for additional reasons not specifically discussed herein, it is believed that the rejections are overcome and claims 22-26 and 56-80 are in condition for allowance. Applicants respectfully request reconsideration and early allowance of this application.

Respectfully submitted,

By 

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